

## Exhibit B: Gmail Correspondence (July 25 2025)



Leigh Johnson &lt;drleighmjohnson@gmail.com&gt;

**Re: Dr. Leigh Johnson -v- CBU UTI01.10003 July 25, 2025**

1 message

**Leigh Johnson** <drleighmjohnson@gmail.com>

Fri, Jul 25, 2025 at 5:04 PM

To: "Vescovo, Steve W." &lt;SVescovo@lewisthomason.com&gt;, Leigh Johnson &lt;drleighmjohnson@gmail.com&gt;

This constitutes a contemporaneous memo of the contents of our (brief) phone conversation of July 25 2025:

Date: 25 July 2025

Time: 4:23 p.m. EDT

Participants: Dr. Leigh M. Johnson, Stephen L. Vescovo

Substance:

Dr. Johnson phoned Mr. Vescovo to confirm receipt of his 25 July e-mail and voicemail to notify Mr. Vescovo that she had replied to them via email. Mr. Vescovo asserted CBU was not properly served. Dr. Johnson stated she would not argue the matter by phone, that she had properly served the Defendant, and invited him to respond in writing. Mr. Vescovo replied, "Ok, you can continue to believe what you believe, but you'll find out."

Call ended. Duration: ~1 minute.

/s/ Dr. Leigh M. Johnson

Pro se Plaintiff

Washington, D.C.

901-679-5937 | [drleighmjohson@gmail.com](mailto:drleighmjohson@gmail.com)On Fri, Jul 25, 2025 at 4:29 PM Leigh Johnson <[drleighmjohnson@gmail.com](mailto:drleighmjohnson@gmail.com)> wrote:

Mr. Vescovo,

Thank you for taking my call today. As stated in that conversation, I prefer that all substantive discussions occur in writing. Please direct any arguments regarding service or the default to me by e-mail.

Regards,

/s/ Dr. Leigh M. Johnson

Pro se Plaintiff

Washington, D.C.

901-679-5937 | [drleighmjohson@gmail.com](mailto:drleighmjohson@gmail.com)

On Fri, Jul 25, 2025 at 2:48 PM Leigh Johnson <[drleighmjohnson@gmail.com](mailto:drleighmjohnson@gmail.com)> wrote:  
Subject: Johnson v. Christian Brothers University — Service & Default

### **Without Prejudice – Federal Rule 408 Settlement Communication**

Mr. Vescovo,

I received your voicemail and e-mail regarding CBU's intention to move under Rule 55(c) to set aside the Clerk's entry of default. I note that, as of today's docket, no counsel of record appears for CBU in Case No. 2:25-cv-02618-MSN-atc, so there has been no party with whom I could confer until your messages earlier today (July 25).

As the docket reflects, the summons and complaint were served **June 20 2025** by USPS Certified Mail, Return-Receipt Requested, addressed to **Ron L. Brandon, Registered Agent** at the address listed with the Tennessee Secretary of State (650 East Parkway South, Memphis, TN 38104). Copies of the USPS tracking record, the Secretary of State's listing of Ron L. Brandon as CBU's Registered Agent, the file-stamped summons, and my affidavit of Service for Summons are attached for your reference. Service therefore complied with **Fed. R. Civ. P. 4(h)(1)(A)** and **Tenn. R. Civ. P. 4.04(10)**, and the Clerk properly entered default on **July 18 2025** (ECF No. 15).

Any question about an illegible signature is an internal matter for CBU; the summons was correctly addressed to its Registered Agent and was delivered, as confirmed by the attached USPS records.

Nevertheless, in the interest of moving the case forward efficiently, I am willing to stipulate to setting aside the default **provided that**:

1. **CBU expressly and irrevocably waives all defenses under Rule 12(b)(4) and (5)** (insufficiency of process or service); and
2. **CBU files its answer within fourteen (14) days** of the Court's order approving the stipulation.

If these terms are acceptable, please forward a draft stipulation and editable Word version of the proposed order **no later than 5:00 p.m. CDT on Tuesday, July 29, 2025**. Failing agreement, I will move for default judgment under Rule 55(b)(2) the next business day and will oppose any Rule 55(c) motion CBU may file.

Please direct future communications to me by e-mail at [drleighmjohnson@gmail.com](mailto:drleighmjohnson@gmail.com). I look forward to your prompt response.

Regards,

/s/ Dr. Leigh M. Johnson  
Pro se Plaintiff  
Washington, D.C.  
901-679-5937 | [drleighmjohnson@gmail.com](mailto:drleighmjohnson@gmail.com)

#### *Attachments:*

1. USPS tracking print-out showing June 20 2025 delivery
2. Tennessee SOS listing—Ron L. Brandon, Registered Agent
3. File-stamped summons (ECF No. 6)
4. AFFIDAVIT of Service (ECF No. 10)
5. Clerk's Entry of Default (ECF No.15)

On Fri, Jul 25, 2025 at 1:00 PM Vescovo, Steve W. <[SVescovo@lewisthomason.com](mailto:SVescovo@lewisthomason.com)> wrote:

Dr. Johnson, I called and left a message earlier for you to contact our office. The local rules require the parties to discuss the matter before filing a motion. We are filing a motion to set aside the default judgment that was incorrectly entered in this matter. You did not obtain proper service on CBU because you did not serve the registered agent for service of process. Further, we can't identify the individual that accepted the attempted service because that person's signature is illegible.

Please contact our office so that we can discuss this matter. We look forward to hearing from you. thanks



**Steve Vescovo** Lawyer  
**Lewis Thomason, P.C.**  
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